

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-00473 PJH
)	
Plaintiff,)	[PROPOSED] ORDER SETTING INITIAL
)	APPEARANCE BEFORE DISTRICT
v.)	COURT AND EXCLUDING TIME
)	
DONALD CLYBURN,)	
)	
Defendant.)	
_____)	SAN FRANCISCO VENUE

On July 27, 2007, defendant made his initial appearance in this matter before Magistrate James Larson. Defendant was arraigned on the Indictment and entered a plea of not guilty. The government needs to provide discovery, and the defense needs time to review that discovery. Accordingly, the parties agreed and requested to continue the matter to August 22, 2007, at 2:30 p.m. for the initial appearance before United States District Court Judge Phyllis J. Hamilton. The parties also agreed that time should be excluded under the Speedy Trial Act for effective preparation of defense counsel in reviewing that discovery. For these reasons, and other good cause appearing, IT IS HEREBY ORDERED THAT:

1. The ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy and public trial;
2. Defense counsel needs time to review discovery in this matter;

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[PROPOSED] ORDER SETTING INIT. APP. BEFORE DIST. COURT AND EXCLUDING TIME;
U.S. v. Clyburn, CR 07-00473 PJH

- 1 3. A status hearing is set before the Honorable Phyllis J. Hamilton at 2:30 p.m. on
2 August 22, 2007; and
3 4. The time from July 27, 2007, to and including August 22, 2007, is
4 excluded under the Speedy Trial Act, 18 U.S.C. Section 3161(h)(8)(A) and (B).

5 Respectfully submitted,

6 SCOTT N. SCHOOLS
7 United States Attorney

8 /s/
9 W. DOUGLAS SPRAGUE
10 Assistant United States Attorney

11 **IT IS SO ORDERED.**

12 DATED: 8/1, 2007

13 
14 JAMES LARSON
15 U.S. MAGISTRATE JUDGE